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| 10/589,196                  | 07/18/2008  | Cedric Gegout        | 13798.004.00        | 6509             |
| 30827                       | 7590        | 03/09/2012           | EXAMINER            |                  |
| MCKENNA LONG & ALDRIDGE LLP |             |                      | KHAN, AFTAB N       |                  |
| 1900 K STREET, NW           |             |                      | ART UNIT            |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/589,196             | GEGOUT, CEDRIC      |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | AFTAB KHAN             | 2454                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/22/2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 1-12 and 14 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1-12 and 14 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

### DETAILED ACTION

1. Claims 1-12 and 14 are presented for examination.

### *Response to Arguments*

2. Applicant's arguments filed 12/22/2011 have been fully considered but they are not persuasive. After further search and thorough examination of present application claims 1-12 remain rejected.

3. In the remarks, applicant argues in substance:

- a. That- “ Hui fails to teach or suggest at least: transmitting, from the server, at least a part of said set of associated parameters, and an instruction to store said part of said set of associated parameters in a memory of the terminal;

And

transmitting, from the server, an instruction to restore said part of said set of associated parameters previously stored in said memory of the terminal, to edit at least one multimedia page in which an object identified by said set of associated parameters occurs”

- b. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Furthermore, examiner respectfully traverses these finding by thorough dissection of the claim language. The

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independent claims 1 and 12 as prescribed, contains intended use language. For example, referring to claim 1, examiner underlines intended use language and these limitations are not positively recited and may result in other uses. Office considers a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

c. That – “Burd fails teach or suggest the same features of independent claims 1 and 12”

d. In addition to teaching server side activeX controls, Burd teaches client side control library 1280 including activeX controls that are executed on the client side. Also, these activeX are downloaded automatically and executed by the browser on the client (Burd: [0027]). ActiveX is a standard that enables software components to interact with one another in a networked environment, regardless of the language(s) used to create them. Web users experience ActiveX technology in the form of ActiveX controls, ActiveX documents, and ActiveX scripts. ActiveX controls, formerly known as OLE controls or OCX controls, are components (or objects) that you can insert into a Web page or other program so that you can reuse packaged functionality that someone else programmed. For example, the ActiveX controls that are included with Internet Explorer enable you to enhance your Web pages with sophisticated formatting features and animation. In short ActiveX control on the client side that resides on

the client's memory works with ActiveX on the server side. The server sends parameters associated with activeX, for example to run an animation and rendering HTML code (Burd: [0064]).

e. Burd also, sends instruction to restore by implementing server side control by load operation 606 and save operation 616 (Burd: [0076]). Burd teaches activeX referenced by are in fact initiated by the server, since it runs server control objects that interact with client side activeX control that are downloaded in the client memory and retain the ability to re-execute according pre-programmed instructions or upon the instruction of server side implementing an object on a webpage in a specific manner, e.g. graphics etc. (See Fig 3, Web Server with Page factory. Item 308).

f. In conclusion, Hui that teaches set of XML object executable on a client device and Burd teaches server side control objects, the combination proves convincing evidence that all claim limitations have been met. Rohwer and Salmi cure the deficiencies arising from dependent claims.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claims 1-6, 8, 11,12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hui et al. hereinafter "Hui" (US pub 2004/0163045) in view of Burd (US pub, 2006/0004910).
6. **Referring to Claim 1**, Hui teaches a method of editing multimedia pages on a terminal (Fig 3, 15 = server, 1= terminal using internet, item 10 = internet), comprising:
- supplying, from a server to at least one terminal, multimedia pages in a form of object arrangement instructions, in order to arrange objects in a graphic scene, each object being identified by a set of associated parameters ([066] - media objects of fig. 5 such as streaming video objects, audio objects, SMIL objects are delivered and supplied to from server 15 to a browser on computing machine as "terminal" and browser arranges objects in graphic scene see [025], "browser").
- Hui teaches XML based marker representing media objects that synchronizes multi-media objects in a web page from a server to the client but Hui lacks storing the object in the memory of terminal and restoring the object to edit the web page.

However, Burd teaches server side control objects that execute hierarchy of server side control objects and state management of server side control objects and binding data from server side. Furthermore, Burd teaches transmitting, from the server, at least a part of said set of associated parameters and an instruction to store said part of said set of associated parameters in a memory of the terminal ([028], server side control object that generates HTML tag and a locator referencing a given client-side ACTIVEX control with in the client indicate the parameters being stored in the memory of the client 100) and Also, Burd teaches transmitting, from the server, an instruction to restore said part of said set of associated parameters previously stored in said memory of the terminal, to edit at least one multimedia page in which an object identified by said set of associated parameters occurs ([076],[077], The Server instantiate server-side control object hierarchy, such that the state of the hierarchy is restored to its previous state thereby changing or editing consumer selection in online shopping web page [109]-[111])

It would have been obvious to a person with ordinary skill in the art at the time invention was made to modify Hui to include server side control objects that manage and storing the object in the memory of terminal and restoring the object to edit the web page in order to enable client with adequate processing capability for retrieving information by using local cache for optimizing overall performance.

7. **Referring to Claim 2**, Burd teaches the method as claimed in claim 1, wherein the instruction to restore is repeated to edit a number of multimedia pages in which said

object occurs ([077], control object hierarchy to restore each control object to its state indicate that it is repeated to edit a number of multimedia web pages generated by the page factory shown on Fig 5).

8. **Referring to Claim 3**, Hui teaches the method as claimed in claim 1, wherein said parameters comprise at least declarative attributes of an arrangement of the object in a multimedia page ([0075], attributes include order number, i.e. arrangement of objects, in object oriented programming object must be declared and identified as is the case with JAVA, XML etc).

9. **Referring to Claim 4**, Burd teaches the method as claimed in claim 3, wherein said parameters also include an identifier of a memory area of the terminal allocated to store said attributes ([059], HTMLTagid ="optional name" where Optionalname is unique identifier for server side control object using COM+ classes stored in the memory area of the client/terminal allocated to store coded attributes).

10. **Referring to Claim 5**, Hui teaches the method as claimed in claim 4, wherein the restore instruction includes the identifier of said memory area to retrieve said attributes (Fig 1, item 170, <video src = "V31.mpg"/> retrieving of stored attributes wherein v31 identifies the video 31 that corresponds to a memory area where video 31 is located thereby retrieving of store attributes associated with video 31).

11. **Referring to Claim 6**, Hui teaches the method as claimed in claim 1, further comprising:

transmitting, from the server to the at least one terminal, an instruction to delete said part of said set of associated parameters, to edit at least one

multimedia page in which said object identified by said set of associated parameters occurs ([0007], "deleting images of animation" involves instructions to delete part of set of associated parameters with a given object operated in internet or HTTP environment the instruction is transmitted from server to the browser at the computing device).

12. **Referring to Claim 8**, Hui teaches the method as claimed in claim 1, wherein said instructions are transmitted in packets from the server to the terminal ([0064], packet transmission include instructions that transmitted in packets over the WWW network, every network packets that is transmitted has instructions in it.)

13. **Referring to Claim 11**, Hui teaches the method as claimed in claim 1, wherein said object is a graphic object comprising at least one:

an image (Fig, 8a image),

a sequence of images ([0108], sequence of image Img  
src="Image.sub.1.gif),

a sequence of 2D synthetic images ([110], 2D image is a picture image such as Gif or any other clickable image "Image.sub.1") , and

a sequence of 3D synthetic images ([103], Video Objects are 3D  
sequence of images).

14. **Referring to Claim 12**, Hui teaches a non-transitory computer readable medium storing a program product in the form of computer code, wherein said program product includes an instruction to store, in a memory of a terminal, at least one parameter of at least one object intended to be arranged, according to said parameter, in a multimedia

page suitable for editing on said terminal ([0079], order number indicates arrangement according to said attribute)

Hui teaches the invention but Hui is silent with respect to storing and managing memory of mobile device.

However Burd teaches regarding managing memory of mobile device. Furthermore Burd teaches an instruction to restore the at least one parameter previously stored in the memory of the terminal ([076],[077], The Server instantiate server-side control object hierarchy in the memory of client, such that the state of the hierarchy is restored to its previous state thereby changing or editing consumer selection in online shopping web page [109]-[111]

It would have been obvious to a person with ordinary skill in the art at the time invention was made to modify Hui to include storing and managing of memory of client in order to enable client devices with adequate processing capability for retrieving information by using local cache for optimizing overall performance.

15. **Referring to Claim 14**, Hui teaches the non-transitory computer readable medium storing a program product in the form of computer code as recited in claim 12, wherein said program product includes an instruction to delete at least one parameter previously stored in a memory of a terminal and associated with at least one object to be arranged, according to said at least one parameter, in a multimedia page edited on said at least one terminal ([0007], delete an animation constitutes deletion of related parameters associated with that animation).

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16. Claims 7 and 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Hui in view of Burd in further view of Rohwer (US pat. 7117259).

17. **Referring to Claim 7**, Hui teaches the instruction to delete includes the identifier of said memory area of the terminal to delete from said memory area the set of associated parameters ([0074]-[0088], action element defined to delete instructions from memory area of terminal).

Hui does not explicitly teach a delete command for associated set of parameter.

Burd does not teach delete command for associated set of parameters but teaches server teaches about sending a difference file to delete any data

However, Rohwer explicitly teaches a delete command and associated set of parameters (Col 22, lines 22-67). Rohwer also describes a process of multicasting operations for streaming media assets from selected media servers to selected clients via the network; and encoding operations for encoding media assets. Also, Rohwer discloses steps of transmitting, from the server to the at least one terminal, an instruction to delete said part of said set of associated parameters, to edit at least one multimedia page in which said object identified by said set of associated parameters occurs (Rohwer: Col 22, lines 33-45, Server transmit set of delete commands along with associated parameters). Clients mentioned here are substituted for the terminals claimed in present invention. Furthermore, Rohwer describes a centralized GUI interface for remotely managing media assets to be performed by a plurality of media servers in a

computer network system, the media operations including deleting media assets from a source location in a network. Media assets can be 2D or 3D images or video streams.

It would have been obvious to a person with ordinary skill in the art at the time invention was made to modify Hui to include delete commands as part of managing media assets functionality of multimedia web pages in order to provide users with improved graphic rendition of multimedia pages and lowering overall bandwidth usage.

18. **Referring to Claim 9**, Rohwer teaches the method as claimed in claim 1, wherein said instructions are in the form of commands corresponding to program code (Rohwer: Col 2, lines 32-50, Programs code are commands).

19. Claim 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Hui in view of Burd in further view of Salmi (US 2001/0040900 A1).

20. **Referring to Claim 10**, Hui and Burd disclose the claimed invention but Hui is silent with respect to mobile terminal cooperating in cellular network.

However, Salmi teaches a mobile terminal capable of interaction with Cellular network and Salmi teaches at least one terminal is a mobile terminal arranged to cooperate with a cellular network (Salmi: Fig 3, mobile terminal arranged to cooperate with cellular network).

It would have been obvious to a person with ordinary skill in the art at the time invention was made to modify Hui to include web page related features of editing media pages on personal computer and implement it on the mobile

terminals in order to edit multimedia pages on mobile terminal for providing flexibility and efficiency in graphics rendition.

### ***Conclusion***

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1111 I(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AFTAB KHAN whose telephone number is

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(571)270-5172. The examiner can normally be reached on Monday-Friday,  
8:00am-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the  
examiner's supervisor, Joseph E. Avellino can be reached on 571-272-3905.

The fax phone number for the organization where this application or proceeding  
is assigned is 571-273-8300.

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. K./  
March 5, 2012  
Examiner, Art Unit 2454

/Joseph E. Avellino/  
Supervisory Patent Examiner, Art Unit 2454